IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 6TH JUNE 2007 / 16TH JYAISHTA 1929

Bail Appl..No. 2765 of 2007()

O.R.NO.1/06 OF MUKKALI FOREST STATION

: PETITIONERS/ACCUSED NO.3 & 4

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1. CHANDRAN, AGED 26 YEARS, S/O. VELAPPAN,
   AMBALAPPARA OORU, KACHERIPPADI VILLAGE,
   MANNARKKAD TALUK, PALAKKAD DISTRICT.

2. RAJAN, AGED 27 YEARS, S/O. KUNHACHAN,
   AMBALAPPARA AMBEDKAR COLONY, KACHERIPPADI VILLAGE,
   MANNARKKAD TALUK, PALAKKAD DISTRICT.

BY ADV. SRI.K.P.MUJEEB

RESPONDENTS: COMPLAINANT

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1. STATE OF KERALA, REPRESENTED BY
   PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
   ERNAKULAM.

2. FOREST RANGE OFFICER,
   MUKKALI FOREST RANGE.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 06/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 2765 OF 2007

Dated this the 6th day of June, 2007

O R D E R

Petitioners, who are accused Nos.3 and 4 in O.R. No.1/2006 of Mukkali Forest Station for offences punishable under Sections 2(16), 2(35), 27, 31, 35(B) and 51 of Kerala Forest Act and Wild Life Protection(Amendment) Act, 1993 and section 27(1)(e)(iv) of Indian Arms Act, seek anticipatory bail.

2. The learned Public Prosecutor opposed the application.

3. Anticipatory bail cannot be granted in a case of this nature. There is no reason why the petitioners should not surrender before the Magistrate having jurisdiction and seek regular bail. Accordingly, if the petitioners surrender before the Magistrate concerned and file an application for regular bail within two weeks from today, the same shall be considered and disposed of, preferably on the same date on which it is filed, bearing in mind the contention of the petitioners that they are Adivasies and no over tacts are alleged against them.

This application is disposed of as above.

(V. RAMKUMAR, JUDGE)

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